

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

DARRYL W. TYSON, JR.
Reg. #20129-078

PETITIONER

v.

No. 2:17-cv-150-DPM

GENE BEASLEY, Warden,
FCI - Forrest City Low

RESPONDENT

ORDER

Unopposed recommendation, *No* 3, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Tyson's petition, *No* 1, is transferred to the Eastern District of Texas. 28 U.S.C. § 1631. Because the receiving Court is in a different federal circuit, the Clerk should delay transfer until 31 October 2017, so Tyson may appeal this decision if he wants to do so. *Compare In re Nine Mile Limited*, 673 F.2d 242, 243 (8th Cir. 1982). If Tyson agrees with the transfer, and wants to get things moving, he should file notice with the Clerk of this Court. The Clerk is authorized to act immediately if Tyson files that notice.

So Ordered.

W.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

28 September 2017